



WASHOE COUNTY

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CM/ACM KS
Finance DN
DA ✓
Risk Mgt. JS
HR N/A
Other N/A

STAFF REPORT

BOARD MEETING DATE: December 9, 2014

DATE: November 19, 2014
TO: Board of County Commissioners
FROM: Vahid Behmaram, Water Management Planner Coordinator,
Community Services Dept. 954-4647, vbehmaram@washoecounty.us,
THROUGH: Dwayne Smith, P.E., Division Director, Engineering & Capital Projects,
Community Services Department, 328-2043, desmith@washoecounty.us
SUBJECT: Approve the Quit Claim Deed to Convey Water Rights transferring 7.60
acre-feet of water rights from Washoe County to George W. Gillemot,
Trustee of the George W. Gillemot Family Trust dated December 14,
1984. (Commission District 2.)

SUMMARY

Washoe County is conveying all of permit numbers 70433 & 70434 being 7.60 acre-feet per year, of Washoe Valley ground water rights to George W. Gillemot, Trustee of the George W. Gillemot Family Trust dated December 14, 1984. These water rights are currently banked with Washoe County in support of future development within Washoe Valley.

Washoe County Strategic Objective supported by this item: Sustainability of our financial, social and natural resources.

PREVIOUS ACTION

On December 14, 2010 the Board of County Commissioners approved a water rights deed and associated Banking Agreement between Gillemot Trust and Washoe County for 60.00 acre-feet from permits 70431, 70432, 70433 and 70434 in support of future development within Washoe Valley.

BACKGROUND

Provisions of Article 422 of Washoe County Development Code require the dedication of appropriate water rights in support of new development within Washoe County Jurisdiction. On December 14, 2010 Washoe County Board of Commissioners approved a water rights deed and associated water rights banking agreement with George W. Gillemot, Trustee of the George W. Gillemot Family Trust dated December 14, 1984. The water rights deed and associated water rights banking agreement conveyed 60.0 acre-feet of ground water rights from Washoe Valley Hydrographic Basin to Washoe County to be held in Trust for the Gillemot Trust. The banking agreement provides that these water rights are held in trust for the benefit of Gillemot Trust until such time the water rights are committed to new development by the Gillemot Trust within Washoe Valley.

AGENDA ITEM # 8G4

The agreement also provides that the Trust can request and receive title back to any uncommitted water rights within the banking agreement. Economic conditions of last few years has prevented the Gillemot Trust from developing any portions of their lands, therefore, no portion of the 60 acre-feet is currently committed to any approved new development. By letter dated November 17, 2014 the Gillemot Trust is requesting the re-conveyance of a 7.60 acre-feet portion of the banked water rights.

FISCAL IMPACT

There is no fiscal impact associated with execution of the Quit Claim Deed to Convey Water Rights.

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the Quit Claim Deed to Convey Water Rights transferring 7.60 acre-feet of water rights from Washoe County to George W. Gillemot, Trustee of the George W. Gillemot Family Trust dated December 14, 1984.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:
"Move to approve the Quit Claim Deed to Convey Water Rights transferring 7.60 acre-feet of water rights from Washoe County to George W. Gillemot, Trustee of the George W. Gillemot Family Trust dated December 14, 1984."

VB/lr

Attachments: Quit Claim Deed to Convey Water Rights
Request letter from Mr. Gillemot

THOMAS J. HALL
GREGORY J. HALL*
*ALSO LICENSED IN COLORADO

LAW OFFICES OF
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November 17, 2014

Vahid Behmaram, Water Rights Manager
Washoe County Department of Water Resources
4930 Energy Way
Reno, Nevada 89502-4106

VIA HAND DELIVERY

**RE: Permits 70433 and 70434
Water Banking Agreement
George W. Gillemot**

Dear Vahid:

Pursuant to our recent telephone conversation, George W. Gillemot, Trustee of the George W. Gillemot Family Trust dated December 14, 1984, wishes to withdraw from the Banking Agreement, dated October 12, 2010, covering the following rights, as soon as possible:


1. Permit 70433, 5.92 AFA, and
2. Permit 70434, 1.68 AFA.

Total 7.60 AFA

Please schedule this withdrawal request on the next agenda for the Washoe County Board of County Commissioners, at your earliest convenience.

Thank you.

Sincerely,



Thomas J. Hall, Esq.

TJH:smk
cc: Client

READ AND APPROVED this 18th day of November, 2014.


George W. Gillemot, Trustee

No APN

When recorded, return to:
Grantee

QUIT CLAIM DEED TO CONVEY WATER RIGHTS

WASHOE COUNTY, a political subdivision of the State of Nevada, as GRANTOR, hereby conveys and quit claims to **George W. Gillemot, Trustee of the George W. Gillemot Family Trust dated December 14, 1984**, as GRANTEE, the real property consisting of water rights described as follows:

All the duty appropriated under water rights Permit Numbers 70433 and 70434, on file with the Nevada State Engineer, Division of Water Resources, to appropriate water with an annual consumptive use of 5.92 and 1.68 acre-feet, respectively.

GRANTOR:
WASHOE COUNTY

A political subdivision of the
State of Nevada

By: _____
David Humke, Chairman
Board of County Commissioners

Date: _____

Attest:

By: _____
Nancy Parent, County Clerk

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

GRANTEE:
George W. Gillemot, Trustee of the George W.
Gillemot Family Trust dated December 14, 1984

By: _____
George W. Gillemot, Trustee

Date: _____

On this ____ day of December 2014, before me, a Notary Public, personally appeared **David Humke**, personally known to me to be the **Chairman of the Washoe County Board of Commissioners**, who acknowledged to me that he executed the foregoing document.

Notary Public
My Commission expires: _____

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

On this _____ day of _____, 2014, this Water Rights Deed was acknowledged before me, a Notary Public, by **Grantee, George W. Gillemot, Trustee of the George W. Gillemot Family Trust dated December 14, 1984**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the above instrument, who acknowledged to me that (s)he executed the instrument.

Notary Public
My Commission expires:_____